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Vesting several undivided Parts of divers Baronies, Lands, and Hereditaments, late the Estate of *Brice Fisher*, Esquire, deceased, situate in the Provinces of *South Carolina* and *Georgia*, in *America*, in Trustees, to be sold, discharged of the Uses of the Will of the said *Brice Fisher*; and for Vesting the Money arising by such Sale in the Purchase of Lands and Hereditaments in that Part of *Great Britain* called *England*, to be settled to the Uses of the said Will.



HEREAS *Brice Fisher*, formerly of *Lothbury*, *London*, *Blackwell-hall* Factor, but late of *Craig's Court*, *Charing Cross*, in the County of *Middlesex*, Esquire, deceased, being at the Time of his Decease seised to him and his Heirs of and in several undivided Parts or Shares (making together One undivided Third Part or Share) of and in divers Baronies or Tracts and Parcels of Land and Hereditaments

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heretofore being in the Province of *South Carolina*, but now in the Provinces of *South Carolina* and *Georgia*, in *America*, duly made and published his last Will and Testament in Writing, bearing Date the Twelfth Day of *June* One thousand Seven hundred and Sixty-six, and thereby (amongst other Things) gave, devised, and bequeathed all and singular his Manors, Messuages, Farms, Lands, Tenements, and Hereditaments whatsoever, and wheresoever situate, with their and every of their Rights, Members, and Appurtenances, and all his Estate and Interest therein, unto *Nicholas Linwood* of *Spring Gardens, Westminster*, in the said County of *Middlesex*, Esquire; *Jacob Tonson* of the *Strand*, in the said County of *Middlesex*, Esquire (since deceased); *Thomas Watts* of the *Sun Fire Office, London*, Esquire; and *Nicholas Pearse* of *London, Blackwell-hall* Factor, the Nephew of the said *Brice Fisher*; and their Heirs: To the Use and Intent that *Ann Fisher*, the Widow of the said *Brice Fisher*, and her Assigns, might receive out of the said Manors and Premises the clear yearly Sum of Five hundred Pounds during her Life, payable half-yearly as therein is mentioned; and to this further Use and Intent, that *Susanna Griffin* of the City of *Bath*, Widow, Sister of the said *Brice Fisher*, and her Assigns also, might receive during her Life, out of the said Manors and Premises, the clear yearly Sum of One hundred Pounds, payable likewise half-yearly in Manner therein mentioned, with the usual Powers and Remedies for the said *Ann Fisher* and *Susanna Griffin*, and their respective Assigns, by Distress and Entry on the said Manors and Premises, to recover Payment of the said several yearly Sums of Five hundred Pounds and One hundred Pounds, and all Arrears thereof respectively; and subject thereto, and to the said Remedies and Powers for Recovery thereof, to the Use of *Richard Fisher* of *Inveresk* near *Edinburgh*, in *Scotland*, Esquire, the Son and only Child of the said *Brice Fisher*, and his Assigns, for his Life, with Remainder to the said *Nicholas Linwood*, *Jacob Tonson*, *Thomas Watts*, and *Nicholas Pearse*, and their Heirs, during the Life of the said *Richard Fisher*, in Trust to preserve the contingent Remainders; and after the Decease of the said *Richard Fisher*, to the Use and Intent that *Margaret Fisher*, Wife of the said *Richard Fisher*, and her Assigns, in case she should survive the said *Richard Fisher*, might receive out of the said Manors and Premises, during her Life, the clear yearly Sum of Three hundred Pounds, payable likewise half-yearly at the Times therein mentioned, with the usual Powers of Entry and Distress for recovering the Payment of the said last-mentioned Annuity and all Arrears

and the said *Ann Fisher* and her Assigns for Life without Impeachment of Waste; and after the Decease of the said *Ann Fisher* to the Use of the said *Nicholas Pearse*, his Heirs and Assigns for ever:

And whereas the said *Brice Fisher* died on or about the Twenty-eighth Day of *May* last without revoking or altering his said Will, and the said *Richard Fisher* has yet no Issue Male:

And whereas the several Persons seised of and interested in the said Baronies, Lands, and Hereditaments in *South Carolina* and *Georgia*, whereof the said undivided Parts are so devised as aforesaid, apprehend there may be soon a fair Opportunity to sell the same to Advantage, if they could be sold and disposed of all together and intire, which would be very convenient and beneficial for the several Parties so interested therein as aforesaid, as it would prevent great Charges and Expences in the Improvement of those Estates, and of making a Partition thereof, which would be attended with great Difficulties, and considerably depreciate the Value of the respective undivided Shares thereof; **But** by reason of the Limitations contained in the Will of the said *Brice Fisher* such Sale or Disposition cannot be effected, nor a good Title made to a Purchaser of the several undivided Shares thereby devised, without the Aid and Authority of Parliament;

Wherefore your Majesty's most dutiful and loyal Subjects the said *Ann Fisher*, *Susanna Griffin*, *Richard Fisher*, *Margaret Fisher*, *Nicholas Linwood*, *Thomas Watts*, and *Nicholas Pearse*,

Do most humbly beseech your most Excellent MAJESTY;

That it may be **Enacted**; **And be it Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several undivided Parts and Shares of and in the several intire Baronies, Tracts, or Parcels of Land and Hereditaments, lying and being in the several Provinces of *South Carolina* and *Georgia*, or One of them, in *America*, which the said *Brice Fisher* died seised of in Fee-simple, and which in and by the Will of the said

said *Brice Fisher* were given and devised to the Uses and in Man-
 ner herein before-mentioned, with their and every of their Rights,
 Members, and Appurtenances, and the Reversion and Reversions,
 Remainder and Remainders, Rents, Issues, and Profits, of all and
 singular the same Premises, shall, from and after the Second Day
 of May One thousand Seven hundred and Sixty-eight, be vested in
 and settled upon, and the same are hereby vested in and settled
 upon, *Thomas Watts* of the Sun Fire Office, London, Esquire, and
Nicholas Pearse of Lothbury, London, Blackwell-hall Factor, their
 Heirs and Assigns, to the Use and Behoof of the said *Thomas Watts*
 and *Nicholas Pearse*, their Heirs and Assigns, upon Trust, that they
 the said *Thomas Watts* and *Nicholas Pearse* and the Survivor of them,
 and the Heirs and Assigns of such Survivor, shall and do (by and
 with the Consent and Approbation of the said *Ann Fisher* and *Richard*
Fisher, or the Survivor of them, if living to be testified in Writing
 under their Hands and Seals, or the Hand and Seal of the Survi-
 vor of them; but if dead, at the Trustees own Discretion) sell and
 convey the same several undivided Parts or Shares, or any Part
 thereof, or join with the Owners and Proprietors of the other un-
 divided Parts and Shares in selling, disposing, and conveying of
 the intire Baronies, Tracts, or Parcels of Land, Hereditaments,
 and Premises, or any Part thereof, unto any Person or Persons who
 shall be willing to purchase the same, for the most Money and
 best Price and Prices that can at the Time of such Sale and Con-
 veyance be had or gotten for the same; which Money to arise by
 Sale of the said undivided Shares as aforesaid shall (after deduct-
 ing thereout by the said Trustees so much as shall be necessary for
 defraying the Expences of obtaining and passing this Act, and
 other reasonable Charges incident thereunto) be paid by the Pur-
 chaser or Purchasers of the said Premises into the *Bank of Eng-*
land, in the Name and with the Privy of the Accomptant Gene-
 ral of the High Court of Chancery, to be placed to his Account
 there *ex parte*, the Purchaser so paying it in pursuant to the Me-
 thod prescribed by the Act of the Twelfth Year of the Reign of
 King *George* the First, Chapter the Thirty-second, and the General
 Orders of the said Court; and shall, when and so soon as a con-
 venient Purchase or Purchases can be found wherein to invest the
 same, to be approved of by the said Court of Chancery upon a
 Petition to be preferred to the said Court in a summary Way at
 the Expence and by or on the Behalf of the said *Richard Fisher*,
 or of such other Person as shall for the Time being be intituled to
 the Rents and Profits of the Lands so to be purchased, be paid
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by the Order of the said Court out of the *Bank*, and laid out and invested in One or more Purchase or Purchases of Manors, Freehold Messuages, Lands, Tenements, and Hereditaments, situate in that Part of *Great Britain* called *England*, in Fee-simple in Possession, and of any Copyhold Lands which lie contiguous thereto and may be proper to go along with the same, free from all Incumbrances, except Quit Rents, Fee-farm Rents, or other usual Out Payments; and immediately after such Purchase or Purchases so made, the Manors, Freehold Messuages, Lands, Hereditaments, and Premises so to be purchased as aforesaid, with their Rights, Royalties, Members, and Appurtenances, shall be settled, conveyed, and assured to such and the same Uses, upon such and the same Trusts, and to and for such and the same Ends, Intents, and Purposes, and under and subject to such and the same Powers, Provisoos, and Declarations as in and by the Will of the said *Brice Fisher*, deceased, are limited, created, provided, and declared of and concerning the several undivided Parts and Shares of the said Baronies, Lands, and Hereditaments thereby devised, or so many of them as shall be then existing, undetermined, or capable of taking Effect; and the Copyhold Lands shall be surrendered and assured to the same Uses, or as near thereto as the Rules of Law and Equity and the Customs of the Manor or Manors whereof they are held will admit.

And it is hereby further Enacted and Declared, by the Authority aforesaid, That all and every the Person and Persons to whom the said *Thomas Watts* and *Nicholas Pearse*, or the Survivor of them, or the Heirs of such Survivor, shall, by virtue and in pursuance of this Act, make any Sale or Conveyance of the said undivided Parts and Shares of the said Baronies, Lands, and Hereditaments hereby vested in them, in Trust to be sold as aforesaid, and the respective Heirs, Executors, and Administrators of such Purchaser and Purchasers, shall, upon Payment of their respective Purchase Money or Purchase Monies into the *Bank* as aforesaid, and after the Executing and Completing of the respective Conveyances thereof, have, hold, and enjoy the Premises by them respectively to be purchased, absolutely freed and discharged of, from, and against all and every the Uses, Trusts, Estates, Powers, Provisoos, and Limitations in and by the said Will of the said *Brice Fisher* limited, created, provided, expressed, and declared of and concerning the same Premises, or any Part thereof; and that the Certificate and Certificates to be

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given by the said Accomptant General, together with the Receipt and Receipts of the Cashier of the *Bank* to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the *Bank* of *England* by such Purchaser or Purchasers of his or their respective Purchase Money, shall from time to time and at all Times hereafter be a good and effectual Discharge or Discharges to the said Purchaser or Purchasers of the Premises, or any Part thereof, and to his and their Heirs, Executors, Administrators, and Assigns for so much of the said Purchase Money for which such Certificate or Certificates shall be made or granted; and that after the Filing of such Certificate or Certificates, and Receipt or Receipts of the Cashier of the *Bank* as aforesaid, such Purchaser or Purchasers shall be and is and are hereby absolutely acquitted and discharged of and from the same, and he, they, or any of them shall not be answerable or accountable for any Loss, Mis-application, or Non-application of such respective Purchase Monies, or any Part thereof.

And it is hereby further Enacted and Declared, That in the mean time and until such Purchase or Purchases can be had and made the said Accomptant General shall, by Order of the said Court of Chancery, place out the Monies so arising by the Sale of the said Premises hereby vested to be sold, or any Part thereof, in the Purchase of *Three per Centum Bank Consolidated Annuities*, and pay and apply the Interest, Dividends, and yearly Proceed arising and produced from the same, unto such Person or Persons as would for the Time being be intitled to receive the yearly Rents and Profits of the Lands and Hereditaments hereby directed to be purchased as aforesaid in case the same were purchased and settled pursuant to this Act.

And it is hereby further Enacted and Declared, That in the mean time and until such Sale and Conveyance shall be made of the said undivided Parts, Shares, and Hereditaments as aforesaid, they the said *Thomas Watts* and *Nicholas Pearse*, and the Survivor of them, and the Heirs of such Survivor, shall and do permit and suffer the Rents, Issues, and Profits thereof to be had, received, and taken by the said *Richard Fisher*, and such Person or Persons as would for the Time being have been intitled to receive the same in case this Act had not been made.

Provided always, and it is hereby further Enacted, That the said *Thomas Watts* and *Nicholas Pearse* shall not, nor shall

shall either of them, or the Heirs, Executors, or Administrators of either of them, be answerable or accountable for any Money to be received by virtue of or under the Trusts hereby vested in them as aforesaid, any otherwise than each Person for such Sum and Sums as he, she, or they shall respectively actually receive; and that none of them shall be answerable or accountable for the Acts, Receipts, Neglects, or Defaults of the other of them; and also that the said *Thomas Watts* and *Nicholas Pearse*, their respective Heirs, Executors, and Administrators, shall and may, out of the Rents, Issues, and Profits of the said undivided Parts, Shares, Hereditaments, and Premises hereby vested in them as aforesaid, or out of the Money arising by Sale thereof, retain to and reimburse themselves for all reasonable Costs, Charges, Damages, and Expences that they respectively shall or may sustain or be put unto in and about the Passing of this Act, or the Execution of the Trusts hereby in them reposed.

Saving always to the KING's most Excellent MAJESTY, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their respective Heirs, Successors, Executors, and Administrators (other than and except the said *Ann Fisher*, *Susanna Griffin*, *Richard Fisher*, and *Margaret Fisher* his Wife, and the First and other Sons of the said *Richard Fisher*, begotten or to be begotten, and the Heirs Male of the Body and Bodies of such Son and Sons lawfully issuing, and the said *Nicholas Pearse*, his Heirs and Assigns, and the several Trustees in the Will of the said *Brice Fisher* named, for the Purposes therein mentioned, their respective Heirs, Executors, and Administrators, and all and every other Person and Persons claiming or to claim any Use, Estate, Trust, Interest, Charge, or Incumbrance of, in, to, or out of the several Parts, Shares, and Hereditaments hereby vested or intended to be vested for the Purposes before-mentioned by virtue of or under the Will of the said *Brice Fisher*) all such Estate, Right, Title, Interest, Claim, and Demand of, in, to, and out of the said undivided Parts, Shares, Hereditaments, and Premises hereby vested, in Trust to be sold as aforesaid, as they, every or any of them, had before the Passing of this Act, or could or might have had, held, or enjoyed in case this Act had never been made.

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Setting several undivided Parts of divers Baronies, Lands, and Hereditaments, late the Estate of *Brice Filber*, Esquire, deceased, situate in the Provinces of *South Carolina* and *Georgia*, in *America*, in Trusts, to be sold, discharged of the Uses of the Will of the said *Brice Filber*; and for Vetting the Money arising by such Sale in the Purchase of Lands and Hereditaments in that Part of *Great Britain* called *England*, to be settled to the Uses of the said Will.

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